REMARKS

By this Amendment claims 8, 20, 28 and 31 are amended and claims 11, 24, 30 and 33 are cancelled. Accordingly, claims 1-10, 12-23, 25-29 and 31-32 are all the claims pending in the application.

AMENDMENTS TO THE CLAIMS

Claims 8, 20, 28 and 31 are amended to incorporate the limitations of claims 11, 24, 30 and 33, as shown above. Accordingly, claims 11, 24, 30 and 33 are cancelled.

35 U.S.C. § 102 REJECTION

Claims 1-3, 13-15 and 25-26 stand rejected as being anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,282,711 to Halpern et al. ("Halpern"). For at least the following reasons, Applicants traverse this rejection.

The Examiner asserts that Halpern teaches each element of claim 1, for example, including a method of requesting and processing a plurality of objects from a server including the step of "automatically unpacking the plurality of objects contained in the response message." To support this assertion, the Examiner cites to col. 6, lines 44-64 and col. 4, lines 14-19 of Halpern. However, both of these passages make clear that Halpern does not disclose an *automatic* unpacking step as recited in claim 1. For example, Halpern states that:

> The steps that the user must take to convert the received package into fully functioning, installed software are determined by the particular type of package and the transport mechanism. For a self-extracting executable which includes program and data files and a client installer program, as well as decompression and auto-start utilities, the user may simply execute the received setup.exe or install.exe file to immediately install the applications and options which he/she has selected. The client installer program may be merely a cloned copy of the

> installer set generator 109. The client installer program may be configured to
> permit the contents of the delivered package to be installed without _further_ user
> intervention. Alternatively, the installer program may be configured to permit
> further user interaction during setup on the client system.

Col. 6, lines 44-68 (emphasis added).

Thus, Halpern makes clear that a plurality of objects are not automatically unpacked, but

rather that the user must execute a setup.exe or install.exe file to install the files the user has

selected. Moreover, col. 6, line 56 makes clear that only _further_ user intervention is avoided in

the configuration disclosed in Halpern, not all user intervention. Thus, contrary to the

Examiner's assertion, Applicants submit that Halpern fails to disclose each element of claim 1.

Applicants submit that claims 2-3, being dependent from claim 1, are patentable over Halpern at

least based on this dependency.

For reasons analogous to those presented above with respect to claim 1, Applicants

submit that claims 13 and 25 are patentable over Halpern. Applicants further submit that claims

14-15 and 26 are patentable over Halpern at least based on their respective dependencies.

35 U.S.C. § 103 REJECTIONS

A.   Claims 4-5 and 16-17

Claims 4-5 and 16-17 stand rejected as being unpatentable under 35 U.S.C. § 103(a) over

Halpern in view of the Examiner's mere assertion that it would have been obvious to one of

ordinary skill in the art "to provide the user with the option of sending the request to the server as

either a single package or as a plurality of packages." Without addressing the merits of the

Examiner's assertion regarding what would have been obvious to one of ordinary skill in the art,

the Examiner's asserted modification of Halpern fails to cure the deficiencies of Halpern

discussed above. Accordingly, Applicants submit that claims 4-5 and 16-17 are patentable over

Halpern for at least the same reasons as claim 1 and 13, discussed above.

B.   Claims 6-10, 12, 18-23, 27-29 and 31-32

Claims 6-7, 12, 18-19, 23, 27 and 32 have been rejected as being unpatentable under 35

U.S.C. § 103(a) over Halpern in view of U.S. Patent No. 6,075,943 to Feinman ("Feinman").

Claims 8, 20, 28 and 31 are amended to incorporate the limitations of claims 11, 24, 30 and 33,

respectively, and it is respectfully submitted that each of these rejected claims is patentable. For

at least the following reasons, Applicants traverse this rejection.

1.   <u>Claims 6-7, 18-19 and 27</u>

It is respectfully submitted that Feinman fails to cure the deficiencies of Halpern

discussed above with respect to claims 1, 13 and 27 since as claims 6-7, 18-19 and 27 depend on

claims 1, 13 and 25, respectively, Applicants submit that claims 6-7, 18-19 and 27 are patentable

over Halpern and Feinman, either alone or in combination, at least based on these dependencies.

2.   <u>Claims 8-10, 12, 20-23, 28-29 and 31-32</u>

As shown above, the limitations of claim 11 are incorporated into claim 8. For at least

the following reasons, Applicants submit that claim 8 is patentable over the cited art.

Claim 8 recites a method "wherein the response message includes an indicator of the

order in which the packed objects are to be presented." The Examiner acknowledges that this

element is absent from the teachings of Halpern. To overcome this deficiency, the Examiner

relies on Feinman. The Examiner asserts that Feinman discloses at col. 3, line 34-col. 4, line 12

"the outputting of applications having a certain order, as indicated by the server." The Examiner

then asserts that it would have been obvious to one of ordinary skill in the art to modify the

teachings of Halpern so to include the ordering of objects to be packaged. The motivation to

make this combination and further modification, according to the Examiner, is to provide an

efficient means of allowing the server to dictate the order in which objects must be presented.

Fineman discloses that application programs to be sent over a communications network

can be associated with a sequential file 100. *See* Fig. 10, col. 3, line 34-col. 4, line 12. The

sequential file 100 contains the date to install the program, the time to install the program, an

install/skip instruction, a string value representing the compressed program to be installed, the

delivery point and target information. Fig. 10; col. 3, line 34-col. 4, line 12. The sequential file

is then sorted so that the program having the earliest install time and date is at the top of the list.

Col. 4, lines 5-12. Upon arrival of the install time and date, the specific compressed program is

then sent to the appropriate client for installation. *See* Figs. 4-6. Thus, Fienman discloses

sending individual compressed programs upon the arrival of the delivery time associated with

each program. However, it is respectfully submitted that Fienman does not teach or suggest a

method "wherein the response message includes an indicator of the order in which the packed

objects are to be presented," as required by claim 8. Accordingly, Applicants submit that claim 8

is patentable over Halpern and Fienman, either alone or in combination. As claims 9-10 and 12

depend on claim 8, Applicants submit that these claims are patentable at least based on their

dependency on claim 8.

For reasons analogous to those presented above with respect to claim 8, Applicants

submit that claims 20-23, 28-29 and 31-32 are patentable over the combination of Halpern and

Fienman.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

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